IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CONTEMPT PETITION NO.325 OF 2004

M/s. Cemetile Industries .... Petitioner
Vs.
Pune Municipal Corporation .... Respondent

Shri Tejas Deshpande for the Petitioner.

Shri R.G. Ketkar for the Respondent.

CORAM: R.M.S. KHANDEPARKAR, J.

DATED: DECEMBER 07, 2004

P.C:

1. Heard the learned Advocates for the parties.

2. The respondent's Advocate has placed on record a copy of the letter dated 24-11-2004 by the respondent addressed to the petitioner informing the petitioner that the letter dated 18-6-2004 calling for payment of dues has been withdrawn in view of the pendency of the matter before the Court. The learned Advocate for the petitioner has submitted that though the letter is withdrawn, it was withdrawn after the filing of the petition, as late as on 24-11-2004 and therefore the respondent is required to tender an unconditional apology for having violated the Court's order. Once it is disclosed to the Court that the respondent has withdrawn the letter dated 18-6-2004 in view of the fact

that the matter is sub-judice, the oral statement by the learned Advocate for the respondent that the said letter was issued by mistake and oversight is sufficient to dispose of the matter without insisting for any unconditional apology as such, as requested by the learned Advocate for the petitioner. Therefore, while accepting the above statement and in view of the withdrawal of the said letter, the petition is rejected and stands disposed of. The notice stands discharged.

3. Certified copy expedited.